

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

No. CR 15-4533 JH

VANESSA COHOE  
n/k/a VANESSA VICENTI,

Defendant.

**ORDER CONTINUING TRIAL SETTING**

THIS MATTER is before the Court on Defendant's *Unopposed Motion for Continuance of the Trial Setting of February 22, 2016* [**Doc. 12**], filed February 5, 2016. Call of Calendar is currently scheduled for February 11, 2016 and Jury Selection/Trial is currently scheduled for February 22, 2016.

The Court, having reviewed the motion to continue trial and noting the U.S. Attorney does not oppose the motion, finds that the defendant's unopposed motion to continue trial setting is well taken and will be **granted**. The Court specifically finds, pursuant to 18 U.S.C. § 3161 (h)(7)(A), that the ends of justice served in granting the continuance outweigh the best interest of the public and the defendant in a speedy trial. Furthermore, the Court finds that the Defendant gives sufficient reasoning in her motion to continue trial to satisfy *United States v. Toombs*, 574 F.3d 1262 (10<sup>th</sup> Cir.2009).

Here are those reasons:

1. Ms. Cohoe was indicted on December 17, 2015.
2. Ms. Cohoe was arraigned on January 11, 2016.

3. The parties are currently in negotiations to resolve this matter and require additional time.

4. Ms. Cohoe agrees that the time period of the extension shall be excluded in computing time within which the trial must commence pursuant to 18 U.S.C. §3161(h)(1)(H), and 18 U.S.C. §3161(h)(7)(A). Ms. Cohoe further states that the above-stated grounds for this request serve the ends of justice and outweigh the best interest of the public and the Defendant in a speedy trial.

5. AUSA Kristopher Houghton concurs in this motion.

IT IS THEREFORE ORDERED that the Defendant's *Unopposed Motion for Continuance of the Trial Setting of February 22, 2016* [**Doc. 12**], is **granted** and the trial set for February 22, 2016 is vacated and rescheduled for **Monday, April 11, 2016 at 9:00 A.M. on a trailing docket before The Honorable Judith C. Herrera. Jury Trial will be held in the "Mimbres" Courtroom, Fourth Floor, Albuquerque, New Mexico.** The period of time from the entry of this order until the new trial date shall be excluded, pursuant to 18 U.S.C. § 3161 (h)(7)(A), from the time limitations set forth within 18 U.S.C. § 3161(c)(1).

IT IS FURTHER ORDERED that a Call of Calendar Hearing previously set for February 11, 2016 is **RESET for Tuesday, March 29, 2016 at 1:30 P.M., in the "Mimbres" Courtroom, Fourth Floor, Albuquerque, New Mexico.**

FINALLY, IT IS ORDERED that counsel shall adhere to the attached "Pretrial Deadlines and Instructions before the Hon. Judith C. Herrera."

  
UNITED STATES DISTRICT JUDGE